



General Assembly

January Session, 2011

Raised Bill No. 6338

LCO No. 3027

* ____HB06338JUD__042911____*

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING LANDSCAPE ARCHITECTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-373 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 After notice and opportunity for hearing as provided in the
4 regulations adopted by the Commissioner of Consumer Protection, the
5 board may: [suspend for a definite period, not to exceed one year, or
6 may] (1) Suspend or revoke any license [or may officially censure any
7 person holding a license] or registration issued pursuant to this
8 chapter, (2) issue a letter of reprimand to any such license or
9 registration holder, (3) place any such license or registration holder on
10 probationary status with certain conditions, (4) issue a civil penalty in
11 an amount not greater than one thousand dollars to any such license or
12 registration holder, or (5) impose any combination of subdivisions (1)
13 to (4), inclusive, of this section if it is shown that the license or
14 registration was obtained through fraud or misrepresentation; or if the
15 holder of the license or registration has been found guilty by the board
16 or by a court of competent jurisdiction of any fraud or deceit in [his]
17 such license or registration holder's professional practice; or if the

18 holder of the license or registration has been found guilty by the board
 19 of [gross] negligence or [gross] incompetency; or if the board has
 20 found that the licensee or registrant has violated any provision of this
 21 chapter, or the regulations adopted pursuant to this chapter. [The
 22 Secretary of the State shall be immediately notified of such suspension
 23 or revocation.] Appeals from the decisions of the board may be taken
 24 as provided in section 4-183. [, except such appeals shall be made
 25 returnable to the judicial district of New Britain.] The board may
 26 authorize the Department of Consumer Protection to reissue any
 27 license or registration which has been revoked, and [it] the board may
 28 modify [the suspension of any license which has been suspended] or
 29 discontinue any action taken by it pursuant to this section.

30 Sec. 2. (NEW) (*Effective July 1, 2011*) (a) The practice of or the offer to
 31 practice landscape architecture in this state by individual licensed
 32 landscape architects under the corporate form, or by a corporation or
 33 limited liability company that employs licensed landscape architects, is
 34 permitted, provided: (1) Personnel of such corporation or limited
 35 liability company who act on its behalf as landscape architects are
 36 licensed or are exempt from licensure under the provisions of chapter
 37 396 of the general statutes, and (2) such corporation or limited liability
 38 company has been issued a certificate of registration by the State Board
 39 of Landscape Architects as provided in subsection (b) of this section.

40 (b) A qualifying corporation or limited liability company desiring a
 41 certificate of registration shall file with the board an application upon a
 42 form prescribed by the Department of Consumer Protection,
 43 accompanied by an application fee of eighty dollars. Each such
 44 certificate shall expire annually and shall be renewable upon payment
 45 of a fee of two hundred dollars. If all requirements of chapter 396 are
 46 met, the board shall authorize the department to issue to such
 47 corporation or limited liability company a certificate of registration
 48 within thirty days after such application, provided the board may
 49 refuse to authorize the issuance of a certificate if any facts exist which
 50 would entitle the board to suspend or revoke an existing certificate of
 51 registration.

52 (c) Each such corporation or limited liability company shall file with
53 the board a designation of an individual or individuals licensed to
54 engage in the practice of landscape architecture in this state who shall
55 be in charge of landscape architecture by such corporation or limited
56 liability company in this state. Such corporation or limited liability
57 company shall notify the board of any change in such designation
58 within thirty days after such change becomes effective.

59 (d) All final plans, drawings, specifications, reports or other
60 documents involving the practice of landscape architecture which are
61 prepared or approved by any such corporation or limited liability
62 company or landscape architect for use of or for delivery to any person
63 or for public record within this state shall be dated and bear the
64 signature and seal of the landscape architect who prepared them or
65 under whose supervision they were prepared.

66 (e) No corporation or limited liability company shall be relieved of
67 responsibility for the conduct or acts of its agents, employees or
68 officers by reason of its compliance with the provisions of this section,
69 nor shall any individual practicing landscape architect be relieved of
70 responsibility for landscape architecture services performed by reason
71 of such individual's employment or relationship with such corporation
72 or limited liability company.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2011</i> | 20-373 |
| Sec. 2 | <i>July 1, 2011</i> | New section |

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| Section 1 | <i>July 1, 2011</i> | 20-373 |
| Sec. 2 | <i>July 1, 2011</i> | New section |

GL *Joint Favorable*

FIN *Joint Favorable*

JUD *Joint Favorable*